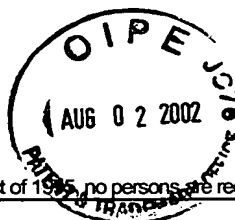


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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:

☒ DUPLICATE

Address to:

Assistant Commissioner for Patents -  
CPA  
Washington, DC 20231

Attorney Docket No. 4821-304

First Named Inventor Martin P. REDMON et al.

Express-Mail Label No.

Total Pages

2

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53 (d), (continued prosecution application (CPA)) of prior application number 09/049,227, filed on March 27, 1998, entitled STABLE DOSAGE FORMS OF FLUOXETINE AND ITS ENANTIOMERS.

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b) or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1. ☐ Enter the unentered amendment previously filed on 08/06/2002 TGEDAMU1 00000150 161150 09049227 under 37 CFR 1.116 in the prior nonprovisional application 01102 840.00 CH
2. ☐ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. ☐ Information Disclosure Statement (IDS) is enclosed:
 

08/06/2002 TGEDAMU1 00000104 161150 09049227

01 FC:103 666.00 CH

☐ PTO-1449

☐ Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

08/05/2002 TGEDAMU1 00000036 161150 09049227

01 FC:131

740.00 CH

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	37 -20 =	37	\$18.00	= \$ 666.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	10 -3 =	10	\$84.00	= \$ 840.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			\$280.00	
		0		BASIC FEE (37 CFR 1.16(a))	740.00
			Total of above Calculations =		2246.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				-
	TOTAL=				\$ 2246.00

## 6. Small entity status:

- a. ☐ Applicant claims small entity status, see 37 CFR §1.27  
c. ☐ Is no longer claimed

7. ☒ A petition for extension of time is enclosed.8. The Commissioner is hereby authorized to credit overpayments or charge fees to Deposit Account No. 16-1150:

- a. ☒ Fees required under 37 CFR 1.16.  
b. ☐ Fees required under 37 CFR 1.17.  
c. ☐ Fees required under 37 CFR 1.18.  
d. ☐ Fees required under 37 CFR 1.136.

9. ☐ A check in the amount of \$\_\_\_ is enclosed.10. ☐ Other: .....**NOTE:**

**The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.**

**10. NEW CORRESPONDENCE ADDRESS**☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☐ New correspondence address below

NAME

ADDRESS

CITY

STATE

ZIP CODE

COUNTRY

TELEPHONE

FAX

**11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED****PENNIE & EDMONDS LLP**

NAME

Max Bachrach (Reg. No. 45,479) for Stanton T. Lawrence III (Reg. No. 25,736)

SIGNATURE

DATE

August 2, 2002